

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM S. KARN,)
)
)
Plaintiff,)
)
)
v.) 02: 05cv1454
)
)
QUICK & REILLY INCORPORATED and)
FLEET BOSTON FINANCIAL COMPANY,)
)
)
Defendants.)

ORDER OF COURT

AND NOW, this 14th day of December, 2005, upon consideration of the MOTION TO PLACE PLAINTIFF'S MOTION FOR DETERMINATION AS TO WHETHER CASE TO BE MAINTAINED AS CLASS ACTION IN ABEYANCE (*Document No. 9*) filed by Defendants Quick & Reilly Incorporated and Fleet Boston Financial Company, and the MEMORANDUM REFERENCING DEFENDANT MOTION OF SERVICE DATE 11/23/05 (sic) (*Document No. 11*) filed by Plaintiff in which he opposes Defendants' motion for abeyance, it is hereby

ORDERED that said Motion to Place Plaintiff's Motion for Determination as to Whether Case to Be Maintained as Class Action in Abeyance is **GRANTED**. The motion for class certification will hereby be held in abeyance pending the Court's ruling on Defendants' pending Motion to Dismiss on which Plaintiff's response is due on December 19, 2005.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

cc: William S. Karn, Esquire
664 Lincoln Avenue
Pittsburgh, PA 15202

Denis Dice, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
1845 Walnut Street
18th Floor
Philadelphia, PA 19103-4797

James A. McGovern, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
Email: jmcgovern@mdwcg.com

Paul A. Atencio, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
600 Grant Street, USX Tower
Suite 2900
Pittsburgh, PA 15219